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ATTORNEY'S DOCKET HIR-117  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of:                 )         Group Art Unit:  
  )  
Hiroharu ARAKAWA, et al.                 )  
  )         Examiner: Unknown  
Serial No. 10/509,061                     )  
  )  
Filed:         September 24, 2004         )

For: COMBINED USE OF ANTITUMOR INDOLOPYRROLOCARBAZOLE DERIVATIVE  
AND OTHER ANTITUMOR AGENT

# INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[**NOTE:** One only of items a, b, c, and d must be checked.]

- ☒ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- ☐ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

- ☐ i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
- ☐ ii. a check in the amount of \$ \_\_\_\_\_ required by 37 C.F.R. §1.17(p).
- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

PETITION: It is requested that the information being submitted be considered. [NOTE: If box (c) is checked, the following two boxes must be checked.]

☐ PETITION FEE: A check for \$180.00 required by 37 CFR \$1.17(p), is enclosed.

☐ CERTIFICATION is attended to in box (e) below.

☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. \$1.97(i), for placement in the file.

☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. \$1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 19-1980.

Respectfully submitted,

**SHERMAN AND ASSOCIATES**

Attorney for Applicants

Robert L. Haines

Reg. No. 35,533

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Alexandria, Virginia 22314

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HIR-117

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Hiroharu ARAKAWA, et al.

Serial No.: 10/509,061

Group:

Filed: September 24, 2004

Examiner:

FOR: COMBINED USE OF ANTITUMOR INDOLOPYRROLOCARBAZOLE DERIVATIVE  
AND OTHER ANTITUMOR AGENT

Date: April 5, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with their obligation under 37 C.F.R.  
§1.56, Applicants would like to call the Examiner's attention to  
the documents listed on the attached forms SB-08A

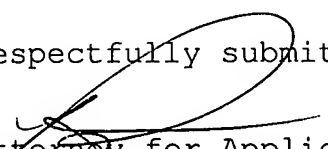
Applicants note that all of the documents listed are  
cited in the Official Search Report issued in Applicants'  
corresponding application before the National Centre of the  
Intellectual Property "Sakpatenti" of Georgia, a copy of which is  
enclosed.

English abstracts of the cited Russian patent documents are provided herewith. Also submitted are copies of WO9807433 and U.S. Patent 6,436,951 which correspond to RU2167880 and RU2220144, respectively. Applicants can find no corresponding published application or patent in English for RU2255089. Applicants further note that the cited documents WO 01/87307 and EP 545195 have been previously provided with the Information Disclosure Statements filed January 27, 2005 and October 20, 2004, respectively.

It is noted that the Search Report identifies the Russian patent documents as defining the general state of the art and are not considered to be of particular relevance. Accordingly, they are provided herewith for the examiner's convenience.

Applicants are not aware at this time of any other prior art which could be considered to be relevant to the present application.

Respectfully submitted,



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Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

**(Use as many sheets as necessary)**

**Complete if Known**

Application Number	10/509,061
Filing Date	September 24, 2004
First Named Inventor	Hiroharu Arakawa
Art Unit	1623
Examiner Name	
Attorney Docket Number	HIR-117

Sheet	1	of	1
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## U. S. PATENT DOCUMENTS

[illegible]

**FOREIGN PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> *Number <sup>4</sup> *Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		WO98/07433	02-26-1998	Saulnier		
		RU 2255089	06-27-2005	Mel Nik S Ja		
		RU 2167880	05-27-2001	Saulnier		
		RU 2220144	12-27-2003	Bigg		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.**